

boundaries, providing a board of three trustees, and for the election of their successors, investing said district and its trustees with full powers, privileges, and duties as provided by general law for school districts, incorporated for free school purposes only; investing the trustees with the control of the public schools in said district, authorizing the levy and collection of taxes for certain purposes, authorizing the commissioners' court of said county to levy and the assessor to assess, and the collector to collect, under certain conditions such as the trustees of said school district shall request, and declaring an emergency."

Have had the same under consideration, and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,
Austin, Texas, Jan. 27, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 206, A bill to be entitled "An Act creating the Dilworth Independent School District in Jim Wells County, Texas, defining its boundaries, providing a board of trustees, and for the election of their successors, investing said district and its trustees with full power privileges, and duties as provided by general law for school districts, incorporated for free school purposes only; investing the trustees with the control of the public schools in said district, authorizing the levy and collection of taxes for certain purposes; authorizing the commissioners' court of said county to levy, and the assessor to assess, and the collector to collect, under certain conditions, such taxes as the trustees of said school district shall request, and declaring an emergency."

Have had the same under consideration, and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

Committee Room,
Austin, Texas, Jan. 27, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 208, A bill to be entitled "An Act to create the Talpa Independent School District in Coleman County, Texas, including the present Talpa District of said county, providing a board of trustees therefor, vesting said independent district and Board of Trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the present Talpa District shall continue to act as such until their successors are elected in accordance with the General Laws of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed by the committee to report the same back to the Senate with the recommendation that it do pass and, being a local bill, that it be not printed.

WOOD, Chairman.

SIXTEENTH DAY.

Senate Chamber,
Austin, Texas,

Tuesday, January 30, 1923.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem R. M. Dudley.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Thomas.
Dudley.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
Holbrook.	Witt.
Lewis.	Woods.

Absent—Excused.

Wood.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Murphy.

See Appendix for Petitions and Committee Reports.

Excused.

Senator Wood for yesterday and today, on account of important business, on motion of Senator Bledsoe.

Bills and Resolutions.

By Senator Strong:

S. B. No. 233, A bill to be entitled "An Act to amend Section 2 of part 4 of Chapter 179 of the General Laws of the Regular Session of the Thirty-third Legislature as amended by Section 2, Part 4 of Chapter 103 of the General Laws of the Regular Session of the Thirty-sixth Legislature, the purpose of this amendment being to provide that insurance companies contracting to pay compensation under the Workmen's Compensation Act, shall file with the Commissioner of Insurance its classification of premium, which shall not take effect until the Commissioner of Insurance has approved same as adequate to the risk to which they apply, and which shall not be greater than the rates charged by the Texas Employees' Insurance Association; and declaring an emergency."

Read first time and referred to Committee on Banking and Insurance.

By Senator Doyle:

S. B. No. 234, A bill to be entitled "An Act to amend Article 3833 of Chapter 4 of the General Laws of the State of Texas as passed by the Thirty-sixth Legislature at its Third Called Session, 1920, entitled 'An Act to amend Article 3883 of Chapter 130 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its Regular Session, regulating the fees allowed county officers in certain counties in this State, and declaring an emergency,' so as to add to and include in the counties of this State therein referred to, counties in this State wherein the taxable values are not less than \$40,000,000, nor more than \$60,000,000, and declaring an emergency."

—Read first time and referred to Committee on State Affairs.

By Senator Rice:

S. B. No. 235, A bill to be entitled "An Act to make an emergency appropriation to enlarge and make adequate the central heating and power plant of the College of Industrial Arts, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Wood:

S. B. No. 236, A bill to be entitled "An Act to define, regulate and license real estate brokers and real estate salesmen; to create a State Real Estate Commission; and to provide a penalty for violation of the provisions hereof; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Clark:

S. B. No. 237, A bill to be entitled "An Act with reference to the public roads in Fayette, Colorado, Lavaca and Austin counties; exempting all firemen employed by any municipality or other governmental agency in such counties from road or street duty or the payment of any money in lieu thereof; and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Murphy:

S. B. No. 238, A bill to be entitled "An Act to amend Articles 1164 and 1167 of the Code of Criminal Procedure of the State of Texas of 1911, so as to provide that the Attorney General shall, in every conviction of offenses against the penal laws in cases of misdemeanors, when the judgment of the court below is affirmed by the Court of Criminal Appeals, or the appeal is dismissed by said Court, receive the sum of ten dollars, which shall be collected, remitted and disbursed as provided by Article 1167 as amended; that in every case of less grade than felony, in which an appeal has been taken to the Court of Criminal Appeals and the judgment of the Court below is affirmed against the defendant or the appeal is dismissed by said Court, the sum of ten dollars, known as the appeal fee, as well as the fee of ten dollars for the Attorney General, shall be adjudged and taxed against the defendant, and upon the receipt of the mandate of the Court of Criminal Appeals, the clerk of the court from which said case has been appealed shall issue execution, and deliver the same to the

sheriff, or any peace officer of the county or to any other county in the State for service and collection, and when said execution has been in all things complied with, as provided by law and has been properly returned to the court from which it issued, the clerk thereof shall immediately transmit the fee belonging to the Court of Criminal Appeals to the Comptroller of Public Accounts, and providing for the proper depositing there, and shall separately remit the fee of the Attorney General directly to him; and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Murphy:

S. B. No. 239, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of the State of Texas to issue an oil and gas lease to Mrs. Virgie D. Hardee, for a term of five years, and subject to renewal for ten years if oil or gas should be found in paying quantities, upon the seventy-six and one-half acres in San Jacinto Bay, Harris County, that was heretofore included in oil and gas permit No. 2168, issued by the Commissioner of the General Land Office to the said Mrs. Hardee on August 2, 1917, and to H. M. Holden, his heirs or assigns, for a like term of five years upon the 703.86 acres in Nueces Bay, Nueces County, that was heretofore included in oil and gas permit number 5242, issued by the Commissioner of the General Land Office to the said Holden on October 17, 1919, and to R. L. Garrett, his heirs or assigns, for a like term of five years upon the 991.48 acres in Nueces Bay, Nueces County, Texas, that was heretofore included in oil and gas permit number 5246, issued by the Commissioner of the General Land Office to the said Garrett on October 17, 1919, conditioned that the respective owners of said leases shall pay to the General Land Office, in advance each of the five years, for the benefit of the Available School Fund, a sum of money equal to twenty-five cents per acre for the first year; fifty cents per acre for the second year; seventy-five cents per acre for the third year and one dollar per acre for the fourth and fifth years; provided, no further sum per acre shall be paid after oil and gas shall have been developed in paying quantities and a royalty begins to be paid and continues to be paid monthly,

equal to one-eighth of the value of the gross production of oil and gas, providing for forfeiture and re-instatement, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Fairchild:

S. B. No. 240, A bill to be entitled "An Act to amend Title Eleven, Chapter Six-a (6a) Article 588¼ of the Penal Code of the Revised Statutes of the State of Texas so as to provide adequate and proper punishment for the violation of said Chapter, same being the State-wide Intoxicating Liquor Prohibition Law, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Lewis:

S. B. No. 241, A bill to be entitled "An Act authorizing the retiring of seven hundred and fifty thousand (\$750,000.00) dollars, State of Texas Board of Prison Commissioners' Funding notes now bearing seven per cent interest from and after their due date, February 1, 1923, and the issuance in lieu thereof the State's obligation, dated February 1, 1923, in the same amount, due February 1, 1925, bearing interest at the rate of five per cent per annum, making appropriation to pay the principal and interest thereon, and to pay the expenses of making said exchange, prescribing the duties of the Governor, State Treasurer, Comptroller, and Attorney General, in reference thereto, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Burkett:

S. B. No. 242, A bill to be entitled "An Act to amend Article 4621, Chapter 3, Title 68, of the Revised Statutes of Texas, of 1911, as amended by Chapter 1, of the Acts of the Regular Session of the Thirty-fifth Legislature, and by Chapter 130, Section 1, of the Acts of the Regular Session of the Thirty-seventh Legislature, by providing that the separate property of the wife may be mortgaged, pledged or encumbered for any purpose."

Read first time and referred to Committee on Civil Jurisprudence.

Message from the Governor.

Mr. R. B. Walthall, secretary to the Governor, appeared at the bar of the Senate, and being duly announced, presented a message from the Governor, which was read as follows:

Governor's Office,
Austin, Texas, Jan. 30, 1923.
To the Members of the Thirty-eighth
Legislature:

The manufacturing business is age-old. Through all the centuries the countries which have manufactured natural products and made them ready for the consumer, have become wealthy, while those countries which have been content merely to bring forth from the earth these natural resources, and sell them as raw material, have gained but little of the wealth of the world. Texas furnishes a striking example of this self-evident truth. We have never realized nor appreciated the matchless possibilities Texas offers to the business world for manufacturing within our own borders the natural resources and productions of our State. The textile industry has greater possibilities in Texas than any other country in the world. We have been prodigal of our productions and wasteful of our resources.

Cotton Mills Should Be Built in Texas.

One-fourth of the cotton of the world is grown in Texas fields, yet we operate only a few small cotton mills. Above all things, cotton manufacturing should be developed in Texas, and established as one of our foremost industries. Why should we ship our three million bales of cotton a year to the New England States, and, after it is manufactured there into the finished product, ship it back to the people of Texas who grow the cotton? The Texas farmer raises a bale of cotton and sells it for a hundred dollars, and then buys it back for not less than a thousand dollars. There is no reason why Texas cotton should not be turned into finished products in Texas mills, and those products, after supplying our own demands, should go through Texas ports along our Southern shores, to be carried by the ships of commerce to every harbor upon the broad seas.

North Carolina Has Climbed from Poverty to Opulence.

North Carolina furnished a striking example of what a people can do along the line of manufacturing. Only a few years ago, North Carolina was a poor State. It had but few natural products, and its soil was non-productive. It raises but little cotton. However, her people, with vision and determination, turned their attention to the manufacturing industry. That State now has more than six thousand manufacturing plants, with an annual pay roll of \$130,000,000 to her wage earners. Not only is every bale of cotton raised in North Carolina manufactured into cloth in North Carolina mills, but that State buys Texas cotton and runs it through her mills, and on account of the cotton manufacturing industry alone, North Carolina is rapidly becoming one of the wealthiest States in the Union.

A World of Raw Material Ready for the Spindles.

Although we have the largest sheep ranches in the world, and the largest wool market on earth, we have no woolen mills. We produce the major part of the mohair of the world. To ship every pound of it to the New England States, to be made into suits of clothes and then shipped back to Texas. Both the profit and the wages incident to the manufacture and distribution of this mohair enrich a people who never saw an Angora goat. With the largest cattle ranches in all the land, we get most of our beef from Northern packeries and an ocean of milk out of northern cans, and at the same time we buy annually over a half million pounds of butter from dairies out of the State. We sell a steer for seventy-five dollars, pay freight on him to Kansas City and a little later buy him back in chipped beef for eight hundred dollars. Why not can him here and keep the horns, hoofs, hide and hair for running expenses? Texas is now among the leading hog raising States of the Union, and yet our smoke house is in Chicago. With fruits and vegetables rotting in our fields, our back yards are filled with empty cans bearing a California label. We can grow enough broom corn to supply the nation, and yet it is hard to

find a woman who sweeps her home with a Texas made broom. With a million cowhides a year skinned from Texas cattle, all our shoes are made in foreign factories.

Must Build Factories in Texas or Write Another "Paradise Lost."

Is there any good reason why we should ship our cotton, our wool, our cattle, and other products of Texas, a thousand miles, and even across the ocean, for other people to reap all the profit before the finished articles reach the hands of the consumer? Why should we permit this stream of gold to flow out of the State each year? To turn over our raw materials into the finished product would mean more to Texas than all her oil wells. If we can make a living by merely growing cotton, and other States and countries can become wealthy and more prosperous than we are by manufacturing our output, it goes without argument that if we ourselves will do our own manufacturing, Texas, by leaps and bounds, will quickly mount to the pinnacle of wealth and power. In just a few years, we would become the wealthiest country in the world. Manufacturing industries, therefore, of all kinds, should be established here in Texas where natural resources abound. Let the whirl of wheels and the click of factories, as they consume our raw material, join in the glad song of our natural prosperity. Let the sky that bends at night above our farms and ranches, be lighted with the blaze from our factories' furnaces. Let argosies of commerce from around the world drop anchor along our Texas shores from Port Arthur to Point Isabel, to be loaded with the finished fabrics of our fields and forests. Let those ships of trade laden with Texas products make of the Gulf of Mexico the Mediterranean of the New World. Let Texas be known in all countries, not only as a leading producer of the products of the soil, but as an empire, as she has a right to be, in the manufacturing world.

One of the most important factors in making Texas such a land is to turn the great economic loss that we have been suffering so many years, into a great profit, by the building of factories alongside the cotton fields, the cattle and sheep ranches, and by the natural homes of the vast and varied products of this won-

derful country of ours. No State ever grew to greatness by merely producing raw material.

We Fight A Losing Battle for Bread.

The laborer in Texas fights an unfair battle for bread. He is aroused at an early morning hour by a New England alarm clock, puts on his overalls made in New York, pulls on his boots bearing a St. Louis name, washes his face with Massachusetts soap in an Ohio bowl, sits down to his breakfast on a chair and at a table made in Wisconsin and eats Kansas bacon, Missouri biscuit, Michigan potatoes and corn flakes put up at Battle Creek when as a matter of fact, the raw materials of all these commodities are produced in Texas as nowhere else in the world. This same citizen sleeps at night on an iron bed, cooks his meals on an iron stove, ploughs his field with an iron plow, travels over iron rails by means of an iron engine, all made in Pennsylvania, notwithstanding Texas has enough iron ore to supply all our wants for a hundred years to come. If this citizen happens to be a cotton grower, he plants his cotton with a cotton planter made out of the State, hoes it with a hoe made out of the State, plows it with a cultivator made out of the State, picks it with a cotton sack made out of the State, loads it on a wagon made out of the State, gins it on machinery made out of the State, exchanges it for cotton goods made out of the State, sleeps at night on a cotton mattress and under a cotton sheet made out of the State and at last is buried in a lonely Texas grave, wrapped in a cotton shroud fashioned and formed by foreign hands. We have lost all our wisdom if we continue the policy of permitting our labor and raw material to enrich the people of other lands.

An Open Market at Our Door.

Not only does Texas have abundant raw materials and manufacturing possibilities, but the geographical location of the State gives it an advantage over most of the other countries as a distributing point for the production of the mills and factories. We should supply not only our own country, but Mexico and all of the Latin-American countries with cloth woven by Texas people

on Texas looms. These nations are now, as never before, heavy consumers of cotton goods. They are buying now ten times more cotton goods than they did just a few years ago. Mexico, soon, I trust, to be recognized as a Republic by the American Government, will open right at our door a new and broad field for Texas trade. Cotton mills will help to develop and hold this trade.

Factory Wheels Will Turn as Fast in Texas as at Any Other Place in the World.

There is no reason why industrial plants should not be established in Texas. We produce the raw materials; we have the climate, we have oil and gas and coal; we have rivers unharnessed and unused that will produce each year, so engineers say, enough power to turn the wheels of all the industries necessary to manufacture all of the raw materials of the State. If our Texas streams were in the New England States, their banks would be lined with textile manufacturing establishments, giving jobs to the jobless, homes to the homeless, food to the foodless, and hope to the hopeless.

Texas Should Encourage Factory Building.

Texas should make conditions conducive to the building of factories in this State. Those who would build our factories should be assured that their investments would not be disturbed by radical legislation. Those who labor in industrial institutions should be assured that their rights would be safeguarded. Some legislation in regard to taxation that would encourage and protect infant industries should be passed. The State should assist in the location of, and in providing for water-power sites along our streams. Our Gulf ports should be deepened so as to provide ample shipping facilities. The working out of a better transportation system will be helpful. There should be fostered at once in connection with one of our established institutions of learning, a textile department where our boys and girls will be taught how to turn our raw material into the finished product. The Creator endowed this State with abundant natural resources and now it is up to the people of Texas to do their part to see to it

that we are not deprived of the wealth that is justly ours. To do some of the things necessary to be done to establish factories in Texas, it would be necessary to amend the present Constitution. The present Constitution is a stumbling-block in the way of much constructive legislation that ought to be enacted.

Respectfully submitted,
PAT M. NEFF, Governor.

H. B. No. 17 on Passage to Third Reading.

The Chair laid before the Senate on its passage to third reading and special order, H. B. No. 17, regulating the Board of Water and Reclamation Engineers, which was read second time on January 25, and postponed until after the morning call today, together with the motion by Senator Wood to recommit the bill to the Finance Committee.

Question first recurring on the motion to recommit to the Finance Committee, the motion was lost.

Senator Floyd offered the following amendment to the bill:

Amend H. B. No. 17, Page 2, Section 3, by striking out the figures \$100,000 wherever they appear in said Section 3 and insert in lieu thereof the figures \$50,000.

Senator Bailey moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas 18.

Bailey.	Lewis.
Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Clark.	Rogers.
Davis.	Stuart.
Doyle.	Turner.
Dudley.	Watts.
Holbrook.	Wirtz.

Nays 11.

Burkett.	Rice.
Cousins.	Ridgeway.
Darwin.	Strong.
Fairchild.	Thomas.
Floyd.	Woods.
McMillin.	

(Pair Recorded.)

Senator Witt (present), who would vote yea; with Senator Wood (absent), who would vote nay.

Senator Darwin offered the following amendment to the bill:

Amend bill by inserting \$60,000.00 where \$100,000.00 appears in Section 3.

Senator Bowers moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas 18.

Bailey.	Lewis.
Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Clark.	Rogers.
Davis.	Stuart.
Doyle.	Turner.
Dudley.	Watts.
Holbrook.	Wirtz.

Nays 11.

Burkett.	Rice.
Cousins.	Ridgeway.
Darwin.	Strong.
Fairchild.	Thomas.
Floyd.	Woods.
McMillin.	

(Pair Recorded.)

Senator Witt (present), who would vote yea; with Senator Wood (absent), who would vote nay.

H. B. No. 17 was then passed to third reading.

H. B. No. 17 on Third Reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days in each House was suspended, and H. B. No. 17 was put upon its third reading and final passage by the following vote:

Yeas 27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Bowers.	Parr.
Burkett.	Pollard.
Clark.	Ridgeway.
Cousins.	Rogers.
Darwin.	Stuart.
Davis.	Turner.
Doyle.	Watts.
Dudley.	Wirtz.
Fairchild.	Witt.
Floyd.	Woods.
Holbrook.	

Nays 3.

Rice.	Thomas.
Strong.	
Wood.	Absent—Excused.

The Chair then laid H. B. No. 17 before the Senate, on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas 23.

Bailey.	Lewis.
Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Ridgeway.
Clark.	Rogers.
Davis.	Stuart.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	

Nays 7.

Cousins.	Strong.
Darwin.	Thomas.
McMillin.	Woods.
Rice.	

Absent—Excused.

Wood.

S. B. No. 62 on Final Passage.

The Chair laid before the Senate on final passage, and special order, S. B. No. 62, relating to self-rising flour, which was read third time on January 26, and postponed until after the morning call today.

Senator Darwin offered the following amendment to the bill:

Amend the bill, page 2, by striking out lines six (6-12) twelve inclusive.

The amendment was adopted by unanimous consent.

Senator Witt moved to postpone further consideration of the bill indefinitely.

Yeas and nays were demanded and the motion to postpone indefinitely was lost by the following vote:

Yeas 12.

Bailey.	Murphy.
Baugh.	Ridgeway.
Bledsoe.	Strong.
Davis.	Thomas.
Dudley.	Witt.
Holbrook.	Woods.

Nays 18.

Bowers.	McMillin.
Burkett.	Parr.
Clark.	Pollard.
Cousins.	Rice.
Darwin.	Rogers.
Doyle.	Stuart.
Fairchild.	Turner.
Floyd.	Watts.
Lewis.	Wirtz.

Absent—Excused.

Wood.

Question recurring on the final passage of the bill, yeas and nays were demanded, and the bill was passed by the following vote:

Yeas 17.

Bowers.	Parr.
Burkett.	Pollard.
Clark.	Rice.
Cousins.	Rogers.
Darwin.	Stuart.
Doyle.	Turner.
Fairchild.	Watts.
Floyd.	Wirtz.
McMillin.	

Nays 12.

Bailey.	Murphy.
Baugh.	Ridgeway.
Bledsoe.	Strong.
Davis.	Thomas.
Dudley.	Witt.
Holbrook.	Woods.

Absent.

Lewis.

Absent—Excused.

Wood.

S. B. No. 125 on Third Reading.

The Chair laid before the Senate as regular order, on its third reading and final passage,

S. B. No. 125, A bill to be entitled "An Act making it unlawful for any person to discharge any gun, pistol or any other firearm upon or across any public street, road or highway in this State and providing for a penalty for the violation thereof."

The bill was read third time.

Question: Shall the bill be finally passed?

Yeas and nays were demanded, and the bill failed on final passage by the following vote:

Yeas 11.

Baugh.	Lewis.
Bledsoe.	Ridgeway.
Burkett.	Thomas.
Clark.	Turner.
Davis.	Witt.
Doyle.	

Nays 17.

Bailey.	Parr.
Bowers.	Rice.
Darwin.	Rogers.
Dudley.	Strong.
Fairchild.	Stuart.
Floyd.	Watts.
Holbrook.	Wirtz.
McMillin.	Woods.
Murphy.	

Present—Not Voting.

Pollard.

Absent.

Cousins.

Absent—Excused.

Wood.

Recess.

On motion of Senator Darwin, the Senate at 11:55 a. m. recessed to 2:30 p. m. today.

Afternoon Session.

The Senate met at 2:30 p. m. and was called to order by President Pro Tem R. M. Dudley.

Invitation to Visit Rio Grande Valley.

Senator Parr sent up and had read the following invitation:

To the Members of the Senate and the House of Representatives of the Thirty-eighth Legislature.

In behalf of the citizenship of the counties of the most southern portion of Texas, composing what is known as the marvelous Rio Grande Valley and adjacent territory, we hereby most joyously and cordially extend to you invitation to make week-end visit to said territory.

In extending this invitation we do so with the candid belief and sincere hope that it will prove not only of pleasure to you but of benefit and profit to the State that you have the honor to represent. This portion of

Texas in years past being considered on account of distance and transportation facilities, more or less inaccessible may not have been visited by many of those composing the membership of the Thirty-eighth Legislature. In recent years there has been such marvelous development in this section and the heretofore undeveloped has been made to give large returns for the support of the State government and in turn it has received generous consideration, makes it imperative that those who represent the State shall know more about this portion of Texas and make our State lawmaking body more familiar therewith.

The citizenship of the places to be visited has provided a train of eight sleepers with baggage car and private car to be used as an office for the purpose of sending and receiving messages and attending to such individual business as the members may be required to look after on the trip.

The proposed schedule of the trip will be approximately as follows: Leave Austin 1:00 o'clock p. m. February 1, 1923, arrive in San Antonio 4:00 o'clock p. m. February 1, 1923; leave San Antonio 11:30 p. m. February 1, 1923; arrive in Corpus Christi 7:00 o'clock a. m. February 2, 1923; leave Corpus Christi 11:00 o'clock a. m. February 2, 1923; arrive at Kingsville at 1:00 o'clock p. m. February 2, 1923; leave Kingsville at 6 o'clock p. m. February 2, 1923; arrive at Mercedes at 6 o'clock a. m., February 3, 1923; tour Rio Grande Valley February 3, 1923; leave Rio Grande Valley at 11:00 o'clock p. m. February 3, 1923; arrive Mirando City 7:00 o'clock a. m. February 4, 1923; leave Mirando City 9:30 a. m. February 4, 1923; arrive Laredo 10:30 o'clock a. m. February 4, 1923; leave Laredo 11:00 o'clock p. m. February 4, 1923; arrive in Austin 7:00 o'clock a. m. February 5, 1923.

While in San Antonio the institutions supported by the State will be inspected and the citizens of San Antonio have tendered an informal dinner and sight seeing tour of the city, including a trip through San Antonio's new cotton mills.

While in Corpus Christi the citizenship of Corpus Christi have tendered breakfast, a boat ride, an inspection tour of the city including the proposed site and plans for port development.

While in Kingsville the citizenship of Kingsville have tendered an old fashioned barbecue, inspection of the location for South Texas Normal, the famous Santa Gertrude's ranch and dairy herds and the Kingsville cotton mill and the splendid service which it renders to the cotton growers of that section.

While in the Rio Grande Valley, the citizenship of Hidalgo County have tendered entertainment at, along or near or over into or thereabouts the Republic of Mexico. If perchance, the Rio Grande river is crossed, your attention will be directed to the necessity of proposed international agreements as are necessary to protect the interests of Texas soil, and particularly at this time to the importance of passing the bill accepting as a part of Texas soil, what is known as the "Bancos" of the Rio Grande river in accordance with the recent Act of the Federal Congress relating thereto. Your attention will also be directed to the necessity and importance of the location of the experimental farm in the citrus fruit region of that part of the State.

While in Mirando City, Texas' newest oil field, you will see the enormous expenditure of money for the development of the natural resources of this State.

While in Laredo, you will see the great new International Bridge connecting Laredo, Texas, with Nuevo Laredo, Mexico, and become acquainted with one of the principal gateways between Texas and Mexico and all other places of State and national importance.

The train and accommodations on this trip are tendered free to you for the purpose of having you view and obtain first hand information concerning this great territory. We think it the most marvelously developing and rapidly growing portion of this great State.

The Chambers of Commerce of these various sections, which have this matter in charge and the citizens generally whom they represent, most sincerely hope that you unanimately accept this invitation and be our guests on this trip.

In order that proper accommodations may be provided, we ask that you furnish W. R. Montgomery and E. D. Dunlap with a list of the names of those making the trip. We will make Pullman car berth accommodations.

tions in such manner as will most conveniently accomodate all those who make the trip.

A. Parr, Senator 23rd District; W. R. Montgomery, Representative 73rd District; E. D. Dunlap, Representative 74th District; R. L. Bobbitt, Representative 75th District; A. L. Lewis, Representative 72nd District; W. E. Pope, Representative 71st District; T. H. Ridgeway, Senator, 24th District.

E. G. LeSturgeon, D. S. Davenport, H. B. Dielmann, B. T. Hull, W. A. Williamson, Representatives of Bexar County.

Senator Cousins moved to refer the invitation to the Committee on State Affairs.

On motion of Senator Bailey, the motion to refer was tabled.

On motion of Senator Parr, the invitation was accepted.

Simple Resolution No. 49.

By Senator Murphy:

Whereas, Hon. W. P. Hobby, former Governor of Texas, is in the city, Therefore, Be it

Resolved, That he be invited to address the Senate and accorded the privileges of the floor.

Lewis, Baugh, Murphy.

The resolution was read and adopted.

The Chair appointed Senators Murphy, Lewis and Baugh as a committee to escort ex-Governor Hobby to the President's stand, where, after being presented by the Chair, he addressed the Senate.

S. B. No. 45 on Second Reading.

The Chair laid before the Senate, as regular order, on its second reading.

S. B. No. 45, A bill to be entitled "An Act to amend Article 6938 of the Revised Statutes of 1911, so as to require the marking of highway intersections and authorizing Commissioners' Courts to have same marked by advertising concerns, prescribing a penalty, and declaring an emergency."

The bill was read the second time.

Senator McMillin offered the following amendment to the bill:

Amend S. B. No. 45, by changing the figures 828 to 829, page 1, line 20.

The amendment was adopted.

S. B. No. 45 was passed to engrossment.

S. B. No. 45 on Third Reading.

On motion of Senator McMillin, the constitutional rule requiring bills to be read on three several days in each House, was suspended, and S. B. No. 45 was put upon its third reading and final passage by the following vote:

Yeas 31.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	Woods.
McMillin.	

The Chair then laid S. B. No. 45 before the Senate on its third reading and final passage.

The bill was read the third time and passed.

Motion for Special Order.

Senator Bledsoe moved to suspend the regular order of business, and take up S. B. No. 63 for the purpose of making such bill a special order for tomorrow after House bills have been disposed of.

The motion was lost by the following vote, not receiving the necessary two-thirds majority:

Yeas 18.

Bailey.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Stuart.
Cousins.	Thomas.
Davis.	Turner.
Dudley.	Wirtz.
Floyd.	Wood.

Nays 13.

Baugh.	Ridgeway.
Darwin.	Rogers.
Doyle.	Strong.
Fairchild.	Watts.
Holbrook.	Witt.
Lewis.	Woods.
McMillin.	

S. B. No. 127 on Second Reading.

The Chair laid before the Senate as regular order, on its second reading,

S. B. No. 127, A bill to be entitled "An Act to amend Section 1 of Chapter 8 of the General Laws passed at the Regular Session of the Thirty-fourth Legislature, re-organizing the Thirteenth Judicial District of Texas; providing for terms of court and the organization or juries, and declaring an emergency."

The bill was read second time and passed to engrossment.

S. B. No. 127 on Third Reading.

On motion of Senator Woods, the constitutional rule requiring bills to be read on three several days in each House, was suspended, and S. B. No. 127 was put upon its third reading and final passage by the following vote:

Yeas 31.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	Woods.
McMillin.	

The Chair then laid S. B. No. 127 before the Senate on its third reading and final passage.

The bill was read third time and passed.

Executive Session.

The Chair announced that the hour, 3 o'clock p. m., the hour to which the executive session had been postponed had arrived, and directed the Sergeant-at-Arms to clear the chamber of all persons not entitled to remain.

It was accordingly done and the Senate proceeded to go into executive session.

In the Senate.

The Secretary reported to the Journal Clerk that the following recess appointments by the Governor had been confirmed in executive session, to-wit:

To be members of State Board of Health: Dr. R. H. Looney of Waxahachie, appointed August 25, 1922; Dr. W. H. Holland of Santa Anna, appointed August 25, 1922.

To be members of Industrial Accident Board: J. M. Pitillo of Waco, appointed September 1, 1921.

To be Commissioner of Warehouse and Markets: Charles Baughman of Brownwood, appointed September 1, 1921.

To be members of Board of Optometry: W. B. George of Waco, appointed September 3, 1921; Frederick Baker of Dallas, appointed September 3, 1921; G. H. Aronfeld of Wichita Falls, appointed September 3, 1921; Ed Jenison of San Antonio, appointed September 3, 1921; Fred Woolsey, Dallas, appointed September 3, 1921.

To be Penitentiary Supervisory Board: Dr. J. T. Harrington of Waco, appointed September 5, 1921; Mrs. J. E. King of San Antonio, appointed September 5, 1921; Homer D. Wade of Stamford, appointed November 19, 1921.

To be Assistant Attorney General, Court of Criminal Appeals: R. G. Storey of Tyler, appointed October 3, 1921.

To be members of State Bureau of Child and Animal Protection: T. J. Carr of Dallas, appointed October 11, 1921; J. L. Perny of Ft. Worth, appointed October 11, 1921; C. T. Prewett of Ft. Worth, appointed October 11, 1921; W. H. Fuqua of Amarillo, appointed October 11, 1921; Mrs. O. H. Butler of San Antonio, appointed October 11, 1921; H. C. Burke of Fort Worth, appointed October 11, 1921; Mrs. Drew Pruitt of Breckenridge, appointed October 11, 1921; C. E. King of Galveston, appointed October 11, 1921; Mrs. H. E. Ferree of Fort Worth, appointed October 11, 1921.

To be members of Board of Regents, College of Industrial Arts: Hugh N. Fitzgerald of Wichita Falls, appointed October 12, 1921.

To be Public Weighers: J. V. Kerner of Texas City, appointed October 17, 1921; Arthur Green of Cleburne, appointed December 5, 1921; W. L. Goodwin of Fort Worth, appointed De-

cember 31, 1921; C. E. Manley of Bangs, appointed May 16, 1922; Herman Gee of San Antonio, appointed June 25, 1922; S. J. McKinney of Dallas, appointed June 23, 1922.

To be members of Board of Public Accountancy: Thos. E. Allday of Wichita Falls, appointed October 22, 1921; C. S. Jones of El Paso, appointed October 22, 1921; A. C. Upleger of Waco, appointed October 22, 1921; Lloyd B. Smith of Dallas, appointed October 22, 1922; T. J. Tapp of Houston, appointed November 4, 1921.

To be members of Board of Managers, Grubbs Vocational College: Mrs. R. D. Covington of Arlington, appointed October 28, 1921; Rev. Patrick Henry of Arlington, appointed October 28, 1921; Nat L. Davis of Arlington, appointed October 28, 1921; James Ditto of Arlington, appointed October 28, 1921; G. W. Turner of Fort Worth, appointed November 28, 1921; William Knapp of Arlington, appointed March 14, 1922; John R. Griffin of Arlington, appointed March 14, 1922.

To be member of Board of Control: Dr. H. H. Harrington of Dallas, appointed November 1, 1921.

To be Chief Justice of Court of Civil Appeals, Fifth Supreme Judicial District, to fill unexpired term of Justice Anson Rainey, deceased: George Sergeant of Dallas, appointed August 9, 1921.

To be member of Board of Regents, State University: Sam P. Cochran of Dallas, appointed November 1, 1921.

To be Branch Pilots, Sabine Pass, River and Tributaries: J. E. Gonzales of Port Arthur, appointed November 16, 1921; Jos. G. Pine of Port Arthur, appointed November 16, 1921; Don Allen of Port Arthur, appointed November 22, 1921; D. J. Wood of Port Arthur, appointed November 22, 1921; F. C. Plummer of Port Arthur, appointed November 22, 1921; T. Carlson of Port Arthur, appointed November 22, 1921; W. P. Allen of Port Arthur, appointed November 22, 1921; F. B. Plummer of Port Arthur, appointed November 22, 1921; Edgar Woodhouse of Port Arthur, appointed November 11, 1921; Jerry B. Johnson of Port Arthur, appointed November 22, 1921; John Dillon of Port Arthur, appointed November 22, 1921; Andrew McFarland of Port Arthur, appointed November 22, 1921; John Kaper of Port Arthur, ap-

pointed November 22, 1921; S. W. Livingston of Port Arthur, appointed November 22, 1921.

To be members of Investigating Committee, Institutions of Higher Learning, Dr. O. H. Cooper of Abilene, appointed November 18, 1921; Mrs. Percy V. Pennybacker of Austin, appointed November 18, 1921; Dr. H. T. Musselman of Dallas, appointed November 18, 1921.

To be District Judge, Sixty-second Judicial District: Newman Phillips of Cooper, appointed November 18, 1921.

To be Branch Pilots, Port of Galveston: C. R. Magee of Galveston, appointed November 19, 1921; James Calder of Galveston, appointed November 19, 1921; A. M. Carlson of Galveston, appointed November 19, 1921; W. A. Leek of Galveston, appointed November 19, 1921.

To be member Board of Water Engineers: A. H. Dunlap of Barstow, appointed November 19, 1921.

To be Branch Pilot, Mouth of Brazos River and Bar: E. B. Smith of Freeport, appointed December 6, 1921.

To be member Board of Prison Commissioners: Walker Sayle of Breckenridge, appointed December 15, 1921.

To be members of Pink Boll Worm Commission: Dr. W. D. Hunter of Austin, appointed December 15, 1921; R. E. McDonald of Austin, appointed December 15, 1921; Lea Beaty of Lockhart, appointed December 15, 1921; Frank McKnight of Arlington, appointed December 15, 1921; W. D. Farris of Ennis, appointed December 15, 1921; C. W. Fisher of Kountze, appointed December 15, 1921; J. M. Malone of Celina, appointed December 15, 1921.

To be Attorney General of Texas, filling unexpired term of C. M. Cureton, W. A. Keeling of Austin, appointed December 1, 1921.

To be Chief Justice of Supreme Court of Texas to fill unexpired term of Judge Nelson Phillips, resigned, C. M. Cureton of Austin, appointed December 1, 1921.

To be Associate Justice Court of Civil Appeals, Fifth Supreme Judicial District, to fill unexpired term of J. M. Talbot, deceased, R. M. Vaughn of Hillsboro, appointed September 3, 1921.

To be Pilot Commissioner for Port Aransas: Geo. Clark of Corpus Christi, appointed December 27, 1921; Andreu Anderson of Corpus Christi, appointed December 27,

1921; N. B. Hamilton of Port Aransas, appointed December 27, 1921; John Sorenson of Rockport, appointed December 27, 1921; L. N. Scrivner of Aransas Pass, appointed December 27, 1921.

To be members of State Board of Veterinary Surgeons: Dr. F. E. Barnes of Waxahachie, appointed December 29, 1921; M. A. Peck of Fort Worth, appointed December 29, 1921; P. P. Starr of Gainesville, appointed December 29, 1921; A. C. Burnes of Cleburne, appointed December 29, 1921; W. G. Brock of Dallas, appointed December 29, 1921; H. V. Goode of Clarksville, appointed December 29, 1921; J. A. Harris of Bonham, appointed January 4, 1922.

To be members of State Mining Board: W. K. Gordon of Thurber, appointed December 29, 1921; N. M. Bullock of Rockdale, appointed December 29, 1921; E. B. Ritchie of Strawn, appointed December 29, 1921; Pete Kramer of Mingus, appointed December 29, 1921; Ed Tidwell of Mingus, appointed December 29, 1921; Thomas Burns of Bridgeport, appointed December 29, 1921.

To be Commissioner of Deeds in New York, Geo. H. Corey of New York, appointed January 10, 1922.

To be District Attorney, First Judicial District, F. P. Adams of Hemp Hill, appointed January 12, 1922.

To be District Attorney, Twenty-eighth Judicial District, Milton H. West of Brownsville, appointed January 17, 1922.

To be Tax Commissioner, John G. Willacy of San Antonio, appointed January 17, 1922.

To be Commissioner of Deeds in London, England, M. D. Redlick of London, appointed January 17, 1922.

To be State Health Officer, Dr. J. H. Florence of Houston, appointed January 20, 1922.

To be District Attorney Nineteenth Judicial District, S. J. Osborne of Breckenridge, appointed January 20, 1922.

To be State Fire Insurance Commissioner, G. N. Holton of Austin, appointed February 1, 1922.

To be District Judge Thirtieth Judicial District, H. R. Wilson of Wichita Falls, February 11, 1922.

To be Commissioner of Deeds in Baltimore, Maryland, February 14, 1922.

To be District Attorney, Thirtieth Judicial District, W. S. Schenck of

Wichita Falls, appointed March 1, 1922.

To be State Mining Inspector, Bruce Gentry of Rockdale, appointed March 22, 1922.

To be Commissioner of Deeds in Boston, Mass., Frank W. Herrick of Boston, appointed March 24, 1922.

To be Commissioner of Deeds in New York City, Ella F. Braman of New York, appointed March 28, 1922.

To be Commissioner of Deeds in Philadelphia, Penn., Thos. J. Hunt of Philadelphia, appointed April 1, 1922.

To be Trust Fund Commissioner for Clayton Vocational Institute; W. H. Wentland of Manor, appointed April 15, 1922; Dr. A. F. Cook of Manor, appointed April 15, 1922; Wm. Leuedke of Manor, appointed April 15, 1922.

To be District Attorney, Twenty-sixth Judicial District: Daniel J. Moody of Georgetown, appointed April 22, 1922.

To be San Jacinto Park Commissioners: Mrs. Chas. H. Milby of Harrisburg, appointed April 24, 1922; Camille G. Pillot of Houston, appointed April 24, 1922; Clarence R. Wharton of Houston, appointed April 24, 1922.

To be Gonzales State Park Commissioners: W. H. Kokernot of Gonzales, appointed April 24, 1922; C. E. Delliworth of Gonzales, appointed April 24, 1922; J. B. Kennard of Gonzales, appointed April 24, 1922.

To be Branch Pilots, Port Aransas: Roy Court of Aransas Pass, appointed May 5, 1922; Simon C. Matthews of Aransas Pass, appointed October 19, 1922.

To be members of Board of Regents, Normal Schools: M. C. Parrish of Austin, appointed June 17, 1922; to fill unexpired term of A. C. Goeth.

To be members of State Board of Pharmacy: J. B. Ray of Abilene, appointed July 5, 1922; W. H. Whisenant of San Antonio, appointed October 11, 1921.

To be District Attorney, Twenty-third Judicial District, R. A. Bassett of Richmond, appointed August 20, 1922.

To be Commissioner of Deeds in New York: John J. Dyer, New York, appointed September 18, 1922.

To be appointed district attorney, Twenty-fourth Judicial District: R. L. Daniel, Victoria, appointed October 25, 1922.

To be district attorney, Twenty-second Judicial District: Fred L. Blundell, Lockhart, appointed October 30, 1922.

To be district attorney, Seventieth Judicial District: Birge Holt, Midland, appointed December 7, 1922.

To be district attorney, Forty-second Judicial District: M. S. Long, Abilene, appointed December 8, 1922.

To be Chief Justice, Court Civil Appeals, Seventh Supreme District: R. W. Hall, Amarillo, appointed December 9, 1922.

To be Associate Justice Court Civil Appeals, Seventh Supreme District: E. L. Klett, Lubbock, appointed December 9, 1922.

To be District Judge, Twenty-seventh Judicial District: Lewis H. Jones, Belton, appointed December 9, 1922.

To be District Attorney, Twenty-seventh Judicial District; New Brewster Temple, December 9, 1922.

To be members of Court Commission of Appeals, Austin, Texas, Section A: J. N. Gallagher, Waco, appointed September 16, 1921. R. F. Spencer, San Antonio, appointed September 16, 1921; H. C. Randolph, Plainview, appointed September 16, 1921; Section B: J. W. McClyendon, Austin, appointed September 16, 1921; Ben H. Powell, Huntsville, appointed September 16, 1921; R. H. Hamilton, Port Lavaca, appointed September 16, 1921.

To be Branch Pilots, Houston and Galveston Bar: Geo. Allen, Houston, appointed August 4, 1921; Joseph Weikerth, Houston, appointed August 22, 1921; Andrew A. Miranda, Houston, appointed November 2, 1921; James A. Birch, Houston, appointed November 16, 1921.

To be Commissioners for Washington Park: J. S. Smith, Chapel Hill, September 13, 1921; Robert Foster, Navasota, appointed September 13, 1921; Mrs. Arthur Becer, Brenham, appointed May 16, 1922.

To be members of Advisory Board American Legion Memorial Sanatorium: J. W. McCarver, Brownwood, appointed November 10, 1921; W. H. Hargins, San Antonio, appointed November 10, 1921; Z. T. Scott, Austin, appointed November 10, 1921.

To be Commissioner of Insurance and Banking: J. L. Chapman, McKinney, appointed September 1, 1922.

To be member Board of Directors A. & M. College: Walter L. Booth, Sweetwater, appointed April 1, 1922.

To be District Judge, Twenty-fifth Judicial District: C. K. Quinn, Columbus, appointed November 19, 1921.

To be State Treasurer: C. V. Terrell, Decatur, appointed November 19, 1921.

To be District Judge, Thirty-sixth Judicial District: T. M. Cox, Beeville, appointed August 8, 1922.

To be members of Court Commission of Appeals, Austin, Texas, Section A: S. H. German, Livingston, appointed January 10, 1923.

To be Branch Pilots, Sabine Pass and River: T. H. Shepherd, Port Arthur, appointed January 10, 1923. Joe Corthell, Port Arthur, appointed January 10, 1923; Carlyle J. Plummer, Port Arthur, appointed January 10, 1923; J. E. Gonzales, Port Arthur, appointed January 10, 1923; J. G. Pine, appointed January 10, 1923.

Clark M. Mullican, Lubbock, Texas, Judge of the Seventy-second Judicial District, to fill the unexpired term of W. R. Spencer, deceased.

S. B. No. 108 on Second Reading.

The Chair laid before the Senate, as regular order, on its second reading,

S. B. No. 108, A bill to be entitled "An Act to amend Section 10 of Chapter 15, being Senate Bill No. 4 of the Acts of the Thirty-first Legislature of the State of Texas, passed at its Second Called Session in 1909, being Article 486, Vernon's Sayles' Revised Statutes of the State of Texas, providing that the Banking Commissioner of Texas may take possession of any bank or trust company under the provisions of the bank deposit guaranty law of the State of Texas, and providing that the depositors of said bank or trust company in Article 448, Vernon's Sayles' Revised Statutes of the State of Texas, shall be paid in full out of the cash in said bank or bank and trust company that can be made immediately available from such bank and the remainder shall be paid out of the depositors guaranty fund through the said board in the event of the cash available in said institution shall be insufficient and providing that only non-interest bearing and unsecured deposits shall be protected

under the guaranty fund; defining public funds; providing that no deposit of public funds shall be protected under the guaranty fund or the bond security plan that cashiers' checks, bank drafts or exchange issued by State banks or State bank and trust companies shall not be protected under the security fund or the bond security plan, and providing certificates of deposit or any other kind of interest bearing deposit that shall have been changed to a non-interest bearing and unsecured deposit within ninety days prior to that of the State bank by the Banking Commissioner of Texas shall be protected by the guaranty fund and that no deposit made by a creditor for the purpose of converting a loan held against a debtor bank into a non-interest bearing and unsecured deposit shall be protected by the guaranty fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read the second time.

Senator Burkett offered the following amendment to the bill:

Amendment No. 1, S. B. No. 108:

Amend S. B. No. 108, page 3, beginning after the period in line 4, and strike out the following:

"No cashiers' check, bank draft, or exchange issued by a State bank or state bank and trust company shall be protected under the guaranty fund."

Senator Holbrook moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas 25.

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Cousins.	Ridgeway.
Darwin.	Rogers.
Davis.	Strong.
Doyle.	Stuart.
Dudley.	Thomas.
Floyd.	Turner.
Holbrook.	Wirtz.
Lewis.	Witt.
McMillin.	

Nays 4.

Burkett.	Fairchild.
Clark.	Woods.

Absent.

Watts.

Absent—Excused.

Wood.

Senator Burkett offered the following amendment to the bill:

Amendment No. 1, page No. 108:

Amend S. B. 108, page 2, line 27, by striking out the following: "no deposit of public funds of any kind or character, whether interest bearing or not, deposited in a State bank shall be insured under this chapter."

On motion of Senator Holbrook the amendment was tabled.

Senator Burkett offered the following amendment to the bill:

Amend S. B. 108, page 2, line 27, beginning after the period to read as follows: "No deposit of public funds of any character which bear interest, deposited in a State bank shall be insured under this chapter."

On motion of Senator Holbrook, the amendment was tabled.

S. B. No. 108 was passed to engrossment.

S. B. No. 108 on Third Reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days in each house, was suspended, and S. B. No. 108 was put upon its third reading and final passage by the following vote:

Yeas 30.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Parr.
Bowers.	Pollard.
Burkett.	Rice.
Clark.	Ridgeway.
Cousins.	Rogers.
Darwin.	Strong.
Davis.	Stuart.
Doyle.	Watts.
Dudley.	Wirtz.
Fairchild.	Witt.
Floyd.	Woods.
Ridgeway.	Thomas.
Lewis.	Turner.

Absent.

Wood.

The Chair then laid S. B. No. 108 before the Senate, on its third reading and final passage.

The bill was read the third time and passed.

At Ease.

Senator Parr moved that the Senate adjourn until 10 o'clock a. m. tomorrow.

Yeas and nays were demanded and the motion to adjourn was lost by the following vote:

Yeas 11.

Bledsoe.	Parr.
Clark.	Ridgeway
Cousins.	Rogers.
Floyd.	Strong.
Fairchild.	Wirtz.
Murphy.	

Nays 19.

Bailey.	McMillin.
Baugh.	Pollard.
Bowers.	Rice.
Burkett.	Stuart.
Darwin.	Thomas.
Davis.	Turner.
Dudley.	Watts.
Floyd.	Witt.
Holbrook.	Woods.
Lewis.	

Absent—Excused.

Wood.

On motion of Senator Rogers, the Senate stood at ease subject to the call of the Chair.

The Senate was called to order by President Pro Tem Dudley.

Bills Signed.

The Chair, President Pro Tem R. M. Dudley, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 17.

Adjournment.

On motion of Senator Rogers, the Senate at 4:55 p. m. adjourned until 10 o'clock a. m. tomorrow.

Petitions and Memorials.

Senator Doyle offered and had read, a resolution adopted by Limestone County Bar Association, favoring the creation by the Legislature

of the Tenth Supreme Judicial District, with Limestone County included in the district, and Waco as the location for the court.

Senator Burkett sent up and had read a petition, numerous signed by Nolan County and Sweetwater citizens protesting against the passage of S. B. No. 141, the Medical Practice Act.

Senator Burkett offered, also a petition from Anson, signed by members of the Woman's Club, urging support of the bill known as Graduate Nurses Bill, S. B. No. 4.

A protest signed by 200 citizens of Lamesa, was also sent up by Senator Burkett. This message strongly objected to the passage of the proposed measures taxing gasoline.

Committee Reports.

Senate Chamber,
Austin, Texas, Jan. 30, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 105 carefully compared and find same to be correctly engrossed.
DOYLE, Chairman.

Senate Chamber,
Austin, Texas, Jan. 30, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 109 carefully compared and find same to be correctly engrossed.
DOYLE, Chairman.

Committee Room,
Austin, Texas, Jan. 29, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 173, A bill to be entitled "An Act amending Section 1, Chapter 27, page 38, Acts of the Regular Session Thirty-second Legislature of the State of Texas of 1911, and being Art. 7059a of Title 120 of the Revised Statutes of Texas, relating to traveling and other expenses of Judges of the District Courts and District Attorneys when in the actual discharge of their official duties in any county other than the county of their residence; providing for the payment of such expenses by the

State upon sworn itemized accounts of such officers; providing for recording such accounts in the Minutes of the District Court of the county in which such officer resides; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Jan. 30, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 201, A bill to be entitled "An Act reorganizing the Forty-second Judicial District of Texas; defining its limitations and naming the counties which shall constitute same; providing for the transfer of Stephens County from said District to the Ninetieth Judicial District of Texas; providing for the transfer of all cases on the docket of the Forty-second Judicial District within the county of Stephens to the docket of the Nineteenth Judicial District in said county; and validating all writs, bonds, recognizances, and process in all cases pending upon the dockets of the district courts in the aforesaid counties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

POLLARD, Chairman.

Committee Room,

Austin, Texas, Jan. 30, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 52, A bill to be entitled "An Act relating to the jurisdiction of the County Court of Reagan County, conferring upon said court the civil and criminal jurisdiction and increasing the civil jurisdiction of said court; conforming the jurisdiction of the District Court of said county to such change; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

POLLARD, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, Jan. 17, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, a majority of your Committee on Public Health, to whom was referred

S. B. No. 40, A bill to be entitled "An Act to define and regulate the practice of professional nursing; to create a Board of Nurse Examiners for the examination and licensing of nurses and to prescribe their qualifications; to provide for the proper registration and for the revocation of certificates and to fix suitable penalty for the violation of this Act; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CLARK, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Jan. 17, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Public Health, to whom was referred S. B. No. 40, have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do not pass.

FLOYD,
WIRTZ.

Committee Room,

Austin, Texas, Jan. 20, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, you Committee on Finance, to whom was referred

S. B. No. 241, A bill to be entitled "An Act authorizing the retiring of seven hundred and fifty thousand (\$750,000.00) dollars, State of Texas Board of Prison Commissioners' Funding notes now bearing seven per cent interest from and after their due date, February 1, 1923, and the issuance in lieu thereof the State's obligation, dated February 1, 1923, in the same amount, due February 1, 1925, bearing interest at the rate of five per cent per annum, making appropriation to pay the principal and interest thereon, and to pay the expenses of making said exchange, pre-

scribing the duties of the Governor, State Treasurer, Comptroller, and Attorney General, in reference thereto, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

DUDLEY, Chairman.

SEVENTEENTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, January 31, 1923.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem R. M. Dudley.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Murphy.
Baugh.	Parr.
Bledsoe.	Pollard.
Bowers.	Rice.
Burkett.	Ridgeway.
Clark.	Rogers.
Cousins.	Strong.
Darwin.	Stuart.
Davis.	Thomas.
Doyle.	Turner.
Dudley.	Watts.
Fairchild.	Wirtz.
Floyd.	Witt.
Holbrook.	Wood.
Lewis.	Woods.
McMillin.	

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

See Appendix for committee reports and petitions.

Bills and Resolutions.

By Senator Wood:

S. B. No. 243, A bill to be entitled "An Act to prescribe a closed season for the hunting of blue or scaled quail in Lampasas County, Texas, and to provide adequate penalties for the unlawful taking, slaughter, storage or possession of same; to repeal all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Burkett:

S. B. No. 244, A bill to be entitled "An Act reorganizing the State of Texas into Supreme Judicial Districts, for the purpose of constituting and organizing Courts of Civil Appeals therein; creating the Tenth Supreme Judicial District of Texas, with Eastland as the site of said court; providing for the appointment and qualification of the Judges of said Tenth Supreme Judicial District, and other officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Tenth Supreme Judicial District of Texas; and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Doyle:

S. B. No. 245, A bill to be entitled "An Act to amend Article 1207e, Title 17, of the Code of Criminal Procedure of the State of Texas (Acts 1917), so as to provide for the creation of a juvenile board, and to create same, in such counties of this State as now, or may hereafter have taxable values not less than \$40,000,000.00, and not more than \$60,000,000.00; to be optional with the Commissioners' Court whether or not the members of such board shall be allowed compensation; providing for fees of sheriffs; providing who shall constitute said board, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Stuart:

S. B. No. 246, A bill to be entitled "An Act to amend Chapter 36, Section 1, Acts of the Thirty-sixth Legislature, providing for emergency transfer of school children and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Stuart:

S. B. No. 247, A bill to be entitled "An Act to amend Article 2760, Revised Statutes, 1911, authorizing the transfer of school children, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Stuart:

S. B. No. 248, A bill to be entitled "An Act to require a record kept and report made of attendance of teach-